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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

John Luscko,

CIVIL ACTION No. 06-3896 (WHW)

Plaintiff,

vs.

PROOF OF MAILING

**Southern Container Corp., Steven Hill
and John Does I-XX, Individually,**

Defendants.

GINA SMITH, hereby certifies as follows:

1. I am a Secretary of the firm of Herbert New and David W. New, P.C., attorneys for Defendants in the above entitled action.

2. On September 25, 2009, I electronically filed and mailed via regular mail a copy of Defendants' Reply Brief in Support of Motion for Summary Judgment, Reply Declaration of Benjamin Karfunkel, Reply 56.1 Statement and Proof of Mailing to Christopher Hartmann, Esq., Wacks & Hartmann, LLC, 55 Madison Avenue, Suite 320A, Morristown, New Jersey 07960.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false I am subject to punishment.



GINA SMITH

DATED: September 25, 2009